

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Jackie Milligan,)	C.A. No. 3:06-2029
)	
Petitioner,)	
)	
vs.)	ORDER
)	
Warden William White; and Henry McMaster,)	
Attorney General of the State of South Carolina,)	
)	
Respondents.)	
)	

This action, seeking habeas corpus relief pursuant to Title 28, United States Code, Section 2254, was filed by *pro se* Petitioner Jackie Milligan (“Petitioner”) on July 14, 2006. (Doc. #1). On September 15, 2006, the Respondents filed the pending motion for summary judgment. (Docs. #6, 7). As the Petitioner is proceeding *pro se*, an Order pursuant to Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975) was issued on September 25, 2006, advising the Petitioner of the importance of a motion for summary judgment. (Doc. #9). The Petitioner was specifically advised that she had 34 days to respond and that if she failed to respond adequately, the Respondents’ motion may be granted, thereby ending her case. Id. The Petitioner did not respond to this Order or file a response to the Respondents’ pending summary judgment motion. Accordingly, a second Order was issued on November 3, 2006, allowing the Petitioner an additional fifteen days to respond to the pending summary judgment motion. (Doc. #10).

On December 7, 2006, United States Magistrate Judge Joseph R. McCrorey, to whom this matter had previously been assigned, issued a Report and Recommendation (“the Report”) in this

case. (Doc. #11). In the Report, the Magistrate Judge recommends the Respondents' motion for summary judgment be granted and that the petition be dismissed pursuant to Fed. R. Civ. P. 41(b) for the Petitioner's failure to prosecute this action. Id. To date, the Petitioner has yet to respond to the pending summary judgment motion or file objections to the Report.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge's Report and Recommendation to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

The Court has carefully reviewed the Magistrate Judge's Report and Recommendation, and for the reasons articulated by the Magistrate Judge it is hereby **ORDERED** that the Magistrate Judge's Report and Recommendation is **ACCEPTED**. Accordingly, the Respondents' motion for summary judgment is **GRANTED** and the petition is dismissed.

IT IS SO ORDERED.

S/ Terry L. Wooten

Terry L. Wooten
United States District Judge

August 2, 2007
Florence, South Carolina